

REMARKS

Reconsideration of this application is respectfully requested in view of the following remarks.

The Applicants appreciate the Examiner's willingness to conduct a personal interview with the Applicants' representative on September 14, 2006.

Claims 1-8 and 10-16 are currently pending in the application and subject to examination.

Interview Summary

During the interview with the Examiner held at the USPTO on September 14, 2006, the rejection of claims 1-8 and 9-16 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,404,101 to Taniguchi (hereinafter, "Taniguchi") in view of Noto was discussed. During the interview, the argument was presented that due; at least, to the considerable difference between the normalized thicknesses of their respective electrodes, Taniguchi and Noto are directed to non-analogous art. The Examiner acknowledged the validity of the argument.

Response to Office Action

In the Office Action mailed March 27, 2006, claims 1-8 and 10-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Taniguchi in view of Noto. The Applicants hereby traverse the rejection, as follows.

Noto discloses at paragraph [0058] that the center frequency of the passband of the longitudinally coupled filter 1 is 298 MHz, the film thickness of the electrode is 400 nm, and the reflectors 4 were each configured to have a wavelength of about 13.82 μm . Thus, the electrode thickness of Noto is about 0.03λ , where λ is the

wavelength of the surface acoustic waves, which corresponds to a normalized electrode thickness (h/λ (%)) of 3%.

Taniguchi teaches at col. 5, lines 49-57, that to obtain the greatest energy trapping effect, an electrode film thickness of up to 0.04λ and a "duty" (i.e., ratio of the width of each electrode finger L1 to the width of each electrode finger L1 plus the distance between electrode fingers in the wave propagation direction L2) of up to 0.5 are preferable. However, Taniguchi discloses that when the electrode film thickness is small (less than 0.04λ) and the duty is 0.5 or less, "the filter characteristic is deteriorated for a reason other than the above-described one, as seen in the above-described Japanese Unexamined Patent Application Publication No. 7-283682 and the Japanese Unexamined Patent Application Publication No. 6-188673." Taniguchi, col. 5, lines 53-57. Thus, Taniguchi teaches the use of an electrode film thickness greater than or equal to 0.04λ . See Taniguchi at Abstract, col. 6, lines 43-45, col. 8, lines 18-20, etc.

Moreover, Taniguchi teaches at col. 11, lines 11-26, the electrode film thickness is preferably about 420 nm, the wavelength of a SAW on the series arm is preferably about $4.63\ \mu\text{m}$, and $h/\lambda = 9.1\%$, and the wavelength of a SAW of a parallel arm resonators is preferably about $4.81\ \mu\text{m}$, and $h/\lambda = 8.7\%$.

Thus, as noted during the interview, the considerable difference between the respective normalized thicknesses of the electrodes of Taniguchi and Noto is at least sufficient to render Taniguchi and Noto non-analogous art. Accordingly, the Applicants submit that it would not have been obvious to one of ordinary skill in the art

to apply only the value of the tip gap disclosed by Noto to the structure of finger electrodes as taught by Taniguchi.

For at least this reason, the Applicants respectfully submit that the rejection of claims 1-8 and 10-16 based on the combination of Taniguchi and Noto is improper, and withdrawal of the rejection is requested.

Conclusion

For all of the above reasons, it is respectfully submitted that the claims now pending patentability distinguish the present invention from the cited references. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is requested to contact the undersigned representative at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300, referencing docket no. 108066-00107.

Respectfully submitted,


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Enclosures: Petition for Extension of Time (3 months)